

PATENT  
0020-4843P

IN THE U.S. PATENT AND TRADEMARK OFFICE

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Applicant: Hiromi IKADAI et al. Conf.: 7623 OCT 16 2002  
Appl. No.: 09/807,459 Group: 1645 TECH CENTER 1600/2900  
Filed: June 14, 2001 Examiner: Baskar, P. ~~#~~  
For: GENE ENCODING PROTEIN FROM MEROZOITE OF  
BABESIA CABALLI, RECOMBINANT PROTEIN  
OBTAINED WITH SAID GENE AND USE THEREOF  
RESPONSE TO RESTRICTION REQUIREMENT  
*14  
Linda  
10/17/02*

Assistant Commissioner for Patents October 15, 2002  
Washington, DC 20231 (Tuesday After Columbus Day)

Sir:

In response to the Restriction Requirement mailed September 12, 2002, the following remarks are respectfully submitted in connection with the above-identified application.

REMARKS

Restriction to one of the following inventions has been required by the Examiner under 35 U.S.C. 121 and 372:

Group I: claims 1-3 and 7, drawn to a gene;

Group II: claims 4-6 and 11, drawn to a recombinant protein and antigen;

Group III: claims 8-10, drawn to an antibody;

Group IV: claim 12, drawn to a method for diagnosing equine babesiosis using a polypeptide; and

Group V, claim 13, drawn to a method for diagnosing equine babesiosis using an antibody.

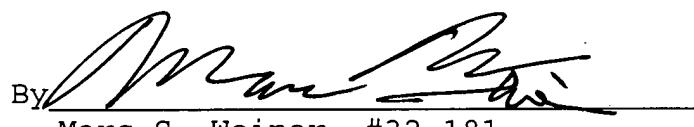
In response, Applicant elects the invention of Group II, claims 4-6 and 11, drawn to a recombinant protein and antigen, without traverse, in order to initiate prosecution in the present application.

Favorable action on the merits is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By 

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